

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

PUBLIC SERVICES – PR & RD Department - Allegation of corruption and fake appointment against T. Satyanarayan, former E.O, GP Huzurnagar Nalgonda district (now retired) – Charges proved in the Tribunal for Disciplinary Proceedings – Imposed a penalty of 5% cut in pension for a period of (3) years – O.A.No.858/2008 filed before the APAT – Judgement pronounced – Appeal filed in WPNo.6618/2009 – Judgement pronounced – Review Petition filed in the AP. High Court – Pending – Releasing of pension, pending out come of the Review Petition and treated the suspension period as “on duty” – Orders – Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.III-A) DEPARTMENT

G.O.Rt.No. 2298

Dated:22.12.2012

Read the followings:-

1. G.O.Ms.No.438, PR & RD (Vig.III-A) Dept., dt.07.11.08.
2. The Hon’ble APAT Judgement dt.26.11.2008 in O.A.No.858/2008.
3. C.A.No.91/2009 in O.A.No.858/2008 filed by Sri T. Satyanarayana, EO (PR&RD) (Retired).
4. The Hon’ble High Court of AP Judgement dt.23.04.2009 in W.P.No.6618/2009 filed by the Govt.
5. Review Petition filed by the Govt. with W.P.M.P.15277/10 in WPNo.6618/09 in the Hon’ble High Court of AP.
6. From the CPR&RE Lr.No.8640/CPR&RE/E2.vig/06, dt.20.6.11.

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ORDER:

In the ref. 1<sup>st</sup> read above, orders were issued imposing a penalty of 5% cut in pension for a period of 3 years on Sri T. Satyanarayana, former Executive Officer, Gram Panchayat Huzurnagar, Nalgonda district (now retired), under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 and the suspension period from 05.03.2002 to 01.04.2004 was treated as “not duty” in terms of F.R. 54(B)(7), as the charges were proved in the Tribunal for Disciplinary Proceedings (TDP).

2) Aggrieved by the above orders, Sri T. Satyanarayana, Executive Officer (Retired) has filed O.A.No.858/2008 before the Hon’ble AP. Administrative Tribunal praying for direct the respondents to release all the terminal benefits to him. The Hon’ble AP. Administrative Tribunal in its final orders dated: 26.11.2008 in O.A.No.858/2008, has ordered that having regard to the facts and circumstances, it is declared that the departmental enquiry initiated against the applicant shall be treated as non-est in the eye of Law on the ground of not finalizing the disciplinary proceedings. The OA is disposed of with a direction to the respondents to release all the terminal benefits to the applicant for which he is entitled to.

3) Government, after careful examination of the Judgement, has filed an appeal petition before the Hon’ble High Court of Andhra Pradesh against the orders of AP. Administrative Tribunal dated: 26.11.2008 in O.A No.858/2008. In the ref. 4<sup>th</sup> read above, the Hon’ble High Court of A.P. in its final orders dated 23.4.2009 in WP No.6618/2009, has directed as follows:

“The learned counsel appearing for the first respondent contended that, the first respondent has already retired from service in 1997 itself. Therefore, to meet the ends of justice and to see that the litigation shall not be continued for a further period, we hold that the punishment of 5% cut in pension for three years is set aside and the period of suspension, from 5.3.2002 to 1.4.2004 to be treated as on duty, but as far as the other emoluments be restricted only to the extent of subsistence allowance, which was already received by the first respondent herein. Petitioners-authorities shall complete this exercise within two months from the date of receipt of a copy of this order”.

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4) Government have examined the above Judgment and also filed Review Petition before the Hon'ble High Court of A.P. in WP No.6618/2009 in the ref. 5<sup>th</sup> read above. The same is pending in the High Court of A.P. In the meanwhile, the C.A No.91/2009 in OA.No.858/2008 which was filed by Sri T. Satyanarayana, Executive Officer (Retired) is posted for compliance.

5) The Government, after careful examination of the Judgments of the Hon'ble AP. Administrative Tribunal in OA.No.858/2008 dated: 26.11.2008 and High Court of A.P in W.P.No.6618/2009 dated: 23.4.2009, and having the circumstances of the case, have decided to implement the judgment of Hon'ble High Court of AP, pending out come of Review Petition in WPNo.6618/2009. Accordingly, the punishment of 5% cut in pension for a period of three (3) years imposed on Sri T. Satyanarayana, former Executive Officer, Gram Panchayat, Huzurnagar of Nalgonda District (now retired) in G.O.Ms.No.438, Panchayat Raj & Rural Development (Vig.III-A) Department, dated: 07.11.2008 is released now, duly treating the suspension period from 05.03.2002 to 01.04.2004 as "on duty", but as far as the other emoluments be restricted only to the extent of subsistence allowance, which was already received by the individual, pending out come of Review Petition pending in High Court of AP.

6) The Commissioner for Panchayat Raj & Rural Employment, AP., Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R. SUBRAHMANYAM  
PRINCIPAL SECRETARY TO GOVERNMENT (PR)(FAC)

To  
Sri T. Satyanarayana, former Executive Officer (now retired),  
G.P Huzunagar, Nalgonda district through Commissioner, PR&RE.  
The Commissioner, Panchayat Raj & Rural Employment, AP Hyderabad.

Copy to:-

The Chief Executive Officer, ZPP Nalgonda.  
The Accountant General, Andhra Pradesh, Hyderabad.  
The Administrative Officer, A.P State Legal Services Authority,  
Nyaya Seva Sadan Building, City Civil Court.,  
Purana Haveli, Hyderabad.  
The Govt. Pleader for Panchayat Raj, APAT., Hyderabad.  
The Govt. Pleader for Ser.II AP. High Court, Hyderabad.  
(wrt lr.dt: 5.12.12)  
SF/SC.

//FORWARDED BY :: ORDER//

SECTION OFFICER.